

Department of Transportation; jointly, to the Committees on Transportation and Infrastructure and Government Reform and Oversight.

¶45.4 UNFINISHED BUSINESS—APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. EWING, pursuant to clause 5, rule I, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Wednesday, May 7, 1997.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. EWING, announced that the yeas had it.

Ms. DELAURO, objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas 350
Nays 56

¶45.5 [Roll No. 110] YEAS—350

Ackerman	Combest	Goode
Aderholt	Condit	Goodlatte
Allen	Conyers	Goodling
Archer	Cook	Gordon
Armey	Cooksey	Goss
Bachus	Coyne	Graham
Baessler	Cramer	Greenwood
Baker	Crane	Hall (OH)
Baldacci	Crapo	Hall (TX)
Ballenger	Cummings	Hamilton
Barcia	Cunningham	Harman
Barr	Danner	Hastert
Barrett (NE)	Davis (IL)	Hastings (FL)
Barrett (WI)	Davis (VA)	Hastings (WA)
Bartlett	Deal	Hayworth
Barton	DeGette	Hinchey
Bass	Delahunt	Hinojosa
Bateman	DeLauro	Hobson
Becerra	DeLay	Hoekstra
Bentsen	Dellums	Holden
Bereuter	Deutsch	Hooley
Berman	Diaz-Balart	Horn
Bilbray	Dickey	Hostettler
Bilirakis	Dicks	Houghton
Bishop	Dingell	Hoyer
Blagojevich	Doggett	Hunter
Bliley	Dooley	Hutchinson
Blumenauer	Dreier	Hyde
Boehlert	Duncan	Inglis
Boehner	Dunn	Istook
Bonilla	Edwards	Jackson (IL)
Bonior	Ehlers	Jefferson
Bono	Ehrlich	John
Boswell	Emerson	Johnson (CT)
Boucher	Eshoo	Johnson (WI)
Boyd	Etheridge	Johnson, Sam
Brady	Evans	Jones
Brown (FL)	Everett	Kanjorski
Brown (OH)	Ewing	Kaptur
Bryant	Farr	Kelly
Bunning	Fattah	Kennedy (MA)
Burr	Fawell	Kennelly
Burton	Fazio	Kildee
Buyer	Flake	Kilpatrick
Callahan	Foglietta	Kim
Calvert	Foley	Kind (WI)
Camp	Ford	King (NY)
Campbell	Fowler	Kingston
Canady	Frank (MA)	Klecza
Cannon	Franks (NJ)	Klink
Capps	Frelinghuysen	Klug
Cardin	Frost	Knollenberg
Carson	Furse	Kolbe
Castle	Gallegly	LaHood
Chabot	Ganske	Lampson
Chenoweth	Gejdenson	Lantos
Christensen	Gekas	Largent
Clayton	Gilchrest	Latham
Clement	Gillmor	LaTourette
Coble	Gilman	Lazio
Coburn	Gonzalez	Leach

Levin	Owens	Sherman
Lewis (KY)	Oxley	Shimkus
Linder	Packard	Shuster
Lipinski	Pappas	Sisisky
Lofgren	Parker	Skaggs
Lowe	Pastor	Skeen
Lucas	Paul	Skelton
Luther	Paxon	Smith (MI)
Maloney (CT)	Payne	Smith (NJ)
Maloney (NY)	Pease	Smith (OR)
Manton	Pelosi	Smith (TX)
Manzullo	Peterson (MN)	Smith, Adam
Markey	Peterson (PA)	Smith, Linda
Martinez	Petri	Snowbarger
Mascara	Pickering	Snyder
Matsui	Pitts	Solomon
McCarthy (MO)	Pombo	Spence
McCarthy (NY)	Pomeroy	Spratt
McCollum	Portman	Stabenow
McCrery	Price (NC)	Stark
McDade	Quinn	Stearns
McGovern	Radanovich	Stenholm
McHale	Rahall	Stokes
McHugh	Rangel	Strickland
McInnis	Regula	Stump
McIntosh	Reyes	Sununu
McIntyre	Riley	Talent
McKeon	Rivers	Tanner
Meehan	Rodriguez	Tauscher
Meek	Roemer	Tauzin
Metcalf	Rogan	Taylor (NC)
Mica	Rogers	Thomas
Millender-	Rohrabacher	Thornberry
McDonald	Ros-Lehtinen	Thurman
Miller (CA)	Rothman	Tiahrt
Miller (FL)	Roukema	Tierney
Minge	Roybal-Allard	Torres
Mink	Royce	Towns
Moakley	Rush	Trafcant
Molinari	Ryun	Turner
Mollohan	Sanchez	Upton
Moran (KS)	Sanders	Vento
Moran (VA)	Sandlin	Walsh
Morella	Sanford	Waters
Murtha	Sawyer	Watkins
Myrick	Saxton	Waxman
Nadler	Scarborough	Weldon (FL)
Neal	Schaefer, Dan	Weldon (PA)
Nethercutt	Schaffer, Bob	Weygand
Neumann	Schumer	Whitfield
Ney	Scott	Wise
Northup	Sensenbrenner	Woolsey
Norwood	Serrano	Wynn
Obey	Shadegg	Yates
Oliver	Shaw	Young (AK)
Ortiz	Shays	Young (FL)

NAYS—56

Abercrombie	Hill	Pascrell
Berry	Hilleary	Pickett
Borski	Hilliard	Poshard
Clyburn	Hulshof	Pryce (OH)
Collins	Jackson-Lee	Ramstad
Costello	(TX)	Sabo
Cubin	Johnson, E. B.	Salmon
DeFazio	Kennedy (RI)	Slaughter
English	Kucinich	Stupak
Ensign	LaFalce	Taylor (MS)
Forbes	Lewis (CA)	Thompson
Fox	Lewis (GA)	Thune
Gephardt	LoBiondo	Velazquez
Gibbons	McDermott	Visclosky
Green	McNulty	Wamp
Gutierrez	Menendez	Watt (NC)
Gutknecht	Nussle	Watts (OK)
Hansen	Oberstar	Weller
Hefley	Pallone	Wicker

NOT VOTING—27

Andrews	Doyle	McKinney
Blunt	Engel	Porter
Brown (CA)	Filner	Riggs
Chambliss	Granger	Schiff
Clay	Hefner	Sessions
Cox	Herger	Souder
Davis (FL)	Jenkins	Wexler
Dixon	Kasich	White
Doollittle	Livingston	Wolf

So the Journal was approved.

¶45.6 JUVENILE CRIME

The SPEAKER pro tempore, Mr. EWING, pursuant to House Resolution 133 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill

(H.R. 3) to combat violent youth crime and increase accountability for juvenile criminal offenses.

Mr. KINGSTON, Chairman of the Committee of the Whole, resumed the chair; and after some time spent therein,

¶45.7 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment in the nature of a substitute submitted by Mr. STUPAK:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Families First Juvenile Offender Control and Prevention Act of 1997".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—JUVENILE OFFENDER CONTROL AND PREVENTION GRANTS

Sec. 101. Short title.

Sec. 102. Grant program.

TITLE II—VIOLENT JUVENILE OFFENDERS

Sec. 201. Time limit on transfer decision.

Sec. 202. Increased detention, mandatory restitution, and additional sentencing options for youth offenders.

Sec. 203. Juvenile handgun possession.

Sec. 204. Access of victims and public to records of crimes committed by juvenile delinquents.

TITLE III—IMPROVING JUVENILE CRIME AND DRUG PREVENTION

Sec. 301. Study by national academy of science.

TITLE I—JUVENILE OFFENDER CONTROL AND PREVENTION GRANTS

SEC. 101. SHORT TITLE.

This title may be cited as the "Juvenile Offender Control and Prevention Grant Act of 1997".

SEC. 102. GRANT PROGRAM.

(a) IN GENERAL.—Part R of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796 et seq.) is amended to read as follows:

"PART R—JUVENILE OFFENDER CONTROL AND PREVENTION GRANTS

"SEC. 1801. PAYMENTS TO LOCAL GOVERNMENTS.

"(a) PAYMENT AND USES.—

"(1) PAYMENT.—The Director of the Bureau of Justice Assistance may make grants to carry out this part, to units of local government that qualify for a payment under this part. Of the amount appropriated in any fiscal year to carry out this part, the Director shall obligate—

"(A) not less than 60 percent of such amount for grants for the uses specified in subparagraphs (A) and (B) of paragraph (2);

"(B) not less than 10 percent of such amount for grants for the use specified in paragraph (2)(C), and

"(C) not less than 20 percent of such amount for grants for the uses specified in subparagraphs (E) and (G) of paragraph (2).

"(2) USES.—Amounts paid to a unit of local government under this section shall be used by the unit for 1 or more of the following:

"(A) Preventing juveniles from becoming involved in crime or gangs by—

"(i) operating after-school programs for at-risk juveniles;

"(ii) developing safe havens from and alternatives to street violence, including educational, vocational or other extracurricular activities opportunities;

"(iii) establishing community service programs, based on community service corps models that teach skills, discipline, and responsibility;

"(iv) establishing peer medication programs in schools;

"(v) establishing big brother programs and big sister programs;

"(vi) establishing anti-truancy programs;

"(vii) establishing and operating programs to strengthen the family unit;

"(viii) establishing and operating drug prevention, treatment and education programs; or

"(ix) establishing activities substantially similar to programs described in clauses (i) through (viii).

"(B) Establishing and operating early intervention programs for at-risk juveniles.

"(C) Building or expanding secure juvenile correction or detention facilities for violent juvenile offenders.

"(D) Providing comprehensive treatment, education, training, and after-care programs for juveniles in juvenile detention facilities.

"(E) Implementing graduated sanctions for juvenile offenders.

"(F) Establishing initiatives that reduce the access of juveniles to fire arms.

"(G) Improving State juvenile justice systems by—

"(i) developing and administering accountability-based sanctions for juvenile offenders;

"(ii) hiring additional prosecutors, so that more cases involving violent juvenile offenders can be prosecuted and backlogs reduced; or

"(iii) providing funding to enable juvenile courts and juvenile probation offices to be more effective and efficient in holding juvenile offenders accountable.

"(H) Providing funding to enable prosecutors—

"(i) to address drug, gang, and violence problems involving juveniles more effectively;

"(ii) to develop anti-gang units and anti-gang task forces to address the participation of juveniles in gangs, and to share information about juvenile gangs and their activities; or

"(iii) providing funding for technology, equipment, and training to assist prosecutors in identifying and expediting the prosecution of violent juvenile offenders.

"(I) Hiring additional law enforcement officers (including, but not limited to, police, corrections, probation, parole, and judicial officers) who are involved in the control or reduction of juvenile delinquency.

"(J) Providing funding to enable city attorneys and county attorneys to seek civil remedies for violations of law committed by juveniles who participate in gangs.

"(3) GEOGRAPHICAL DISTRIBUTION OF GRANTS.—The Director shall ensure that grants made under this part are equitably distributed among all units of local government in each of the States and among all units of local government throughout the United States.

"(b) PROHIBITED USES.—Notwithstanding any other provision of this title, a unit of local government may not expend any of the funds provided under this part to purchase, lease, rent, or otherwise acquire—

"(1) tanks or armored personnel carriers;

"(2) fixed wing aircraft;

"(3) limousines;

"(4) real estate;

"(5) yachts;

"(6) consultants; or

"(7) vehicles not primarily used for law enforcement;

unless the Attorney General certifies that extraordinary and exigent circumstances exist that make the use of funds for such

purposes essential to the maintenance of public safety and good order in such unit of local government.

"(c) REPAYMENT OF UNEXPENDED AMOUNTS.—

"(1) REPAYMENT REQUIRED.—A unit of local government shall repay to the Director, by not later than 27 months after receipt of funds from the Director, any amount that is—

"(A) paid to the unit from amounts appropriated under the authority of this section; and

"(B) not expended by the unit within 2 years after receipt of such funds from the Director.

"(2) PENALTY FOR FAILURE TO REPAY.—If the amount required to be repaid is not repaid, the Director shall reduce payment in future payment periods accordingly.

"(d) NONSUPPLANTING REQUIREMENT.—Funds made available under this part to units of local government shall not be used to supplant State or local funds, but shall be used to increase the amount of funds that would, in the absence of funds made available under this part, be made available from State or local sources.

"(e) MATCHING FUNDS.—The Federal share of a grant received under this part may not exceed 90 percent of the costs of a program or proposal funded under this part.

"SEC. 1802. AUTHORIZATION OF APPROPRIATIONS.

"(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this part—

"(1) \$500,000,000 for fiscal year 1998;

"(2) \$500,000,000 for fiscal year 1999; and

"(3) \$500,000,000 for fiscal year 2000.

The appropriations authorized by this subsection may be made from the Violent Crime Reduction Trust Fund.

"(b) OVERSIGHT ACCOUNTABILITY AND ADMINISTRATION.—Not more than 3 percent of the amount authorized to be appropriated under subsection (a) for each of the fiscal years 1998 through 2000 shall be available to the Attorney General for studying the overall effectiveness and efficiency of the provisions of this part, and assuring compliance with the provisions of this part and for administrative costs to carry out the purposes of this part. The Attorney General shall establish and execute an oversight plan for monitoring the activities of grant recipients. Such sums are to remain available until expended.

"(c) AVAILABILITY.—The amounts authorized to be appropriated under subsection (a) shall remain available until expended.

"SEC. 1803. QUALIFICATION FOR PAYMENT.

"(a) IN GENERAL.—The Director shall issue regulations establishing procedures under which a unit of local government is required to provide notice to the Director regarding the proposed use of funds made available under this part.

"(b) PROGRAM REVIEW.—The Director shall establish a process for the ongoing evaluation of projects developed with funds made available under this part.

"(c) GENERAL REQUIREMENTS FOR QUALIFICATION.—A unit of local government qualifies for a payment under this part for a payment period only if the unit of local government submits an application to the Director and establishes, to the satisfaction of the Director, that—

"(1) the chief executive officer of the State has had not less than 20 days to review and comment on the application prior to submission to the Director;

"(2)(A) the unit of local government will establish a trust fund in which the government will deposit all payments received under this part; and

"(B) the unit of local government will use amounts in the trust fund (including inter-

est) during a period not to exceed 2 years from the date the first grant payment is made to the unit of local government;

"(3) the unit of local government will expend the payments received in accordance with the laws and procedures that are applicable to the expenditure of revenues of the unit of local government;

"(4) the unit of local government will use accounting, audit, and fiscal procedures that conform to guidelines which shall be prescribed by the Director after consultation with the Comptroller General and as applicable, amounts received under this part shall be audited in compliance with the Single Audit Act of 1984;

"(5) after reasonable notice from the Director or the Comptroller General to the unit of local government, the unit of local government will make available to the Director and the Comptroller General, with the right to inspect, records that the Director reasonably requires to review compliance with this part or that the Comptroller General reasonably requires to review compliance and operation;

"(6) the unit of local government will spend the funds made available under this part only for the purposes set forth in section 1801(a)(2); and

"(7) the unit of local government has established procedures to give members of the Armed Forces who, on or after October 1, 1990, were or are selected for involuntary separation (as described in section 1141 of title 10, United States Code), approved for separation under section 1174a or 1175 of such title, or retired pursuant to the authority provided under section 4403 of the Defense Conversion, Reinvestment, and Transition Assistance Act of 1992 (division D of Public Law 102-484; 10 U.S.C. 1293 note), a suitable preference in the employment of persons as additional law enforcement officers or support personnel using funds made available under this title. The nature and extent of such employment preference shall be jointly established by the Attorney General and the Secretary of Defense. To the extent practicable, the Director shall endeavor to inform members who were separated between October 1, 1990, and the date of the enactment of this section of their eligibility for the employment preference.

"(d) SANCTIONS FOR NONCOMPLIANCE.—

"(1) IN GENERAL.—If the Director determines that a unit of local government has not complied substantially with the requirements or regulations prescribed under subsections (a) and (c), the Director shall notify the unit of local government that if the unit of local government does not take corrective action within 60 days of such notice, the Director will withhold additional payments to the unit of local government for the current and future payment periods until the Director is satisfied that the unit of local government—

"(A) has taken the appropriate corrective action; and

"(B) will comply with the requirements and regulations prescribed under subsections (a) and (c).

"(2) NOTICE.—Before giving notice under paragraph (1), the Director shall give the chief executive officer of the unit of local government reasonable notice and an opportunity for comment.

"(e) MAINTENANCE OF EFFORT REQUIREMENT.—A unit of local government qualifies for a payment under this part for a payment period only if the unit's expenditures on law enforcement services (as reported by the Bureau of the Census) for the fiscal year preceding the fiscal year in which the payment period occurs were not less than 90 percent of the unit's expenditures on such services for the second fiscal year preceding the fiscal year in which the payment period occurs."

(b) TECHNICAL AMENDMENT.—The table of contents of the title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796 et seq.) is amended by striking the matter relating to part R and inserting the following:

"PART R—JUVENILE CRIME CONTROL GRANTS
"Sec. 1801. Payments to local governments.

"Sec. 1802. Authorization of appropriations.

"Sec. 1803. Qualification for payment."

TITLE II—VIOLENT JUVENILE OFFENDERS

SEC. 201. TIME LIMIT ON TRANSFER DECISION.

Section 5032 of title 18, United States Code, is amended by inserting "The transfer decision shall be made not later than 90 days after the first day of the hearing," after the first sentence of the 4th paragraph.

SEC. 202. INCREASED DETENTION, MANDATORY RESTITUTION, AND ADDITIONAL SENTENCING OPTIONS FOR YOUTH OFFENDERS.

Section 5037 of title 18, United States Code, is amended to read as follows:

"§ 5037. Dispositional hearing

"(a) IN GENERAL.—

"(1) HEARING.—In a juvenile proceeding under section 5032, if the court finds a juvenile to be a juvenile delinquent, the court shall hold a hearing concerning the appropriate disposition of the juvenile not later than 20 court days after the finding of juvenile delinquency unless the court has ordered further study pursuant to subsection (e).

"(2) REPORT.—A predisposition report shall be prepared by the probation officer who shall promptly provide a copy to the juvenile, the attorney for the juvenile, and the attorney for the government.

"(3) ORDER OF RESTITUTION.—After the dispositional hearing, and after considering any pertinent policy statements promulgated by the Sentencing Commission pursuant to 994, of title 28, the court shall enter an order of restitution pursuant to section 3556, and may suspend the findings of juvenile delinquency, place the juvenile on probation, commit the juvenile to official detention (including the possibility of a term of supervised release), and impose any fine that would be authorized if the juvenile had been tried and convicted as an adult.

"(4) RELEASE OR DETENTION.—With respect to release or detention pending an appeal or a petition for a writ of certiorari after disposition, the court shall proceed pursuant to the provisions of chapter 207.

"(b) TERM OF PROBATION.—The term for which probation may be ordered for a juvenile found to be a juvenile delinquent may not extend beyond the maximum term that would be authorized by section 3561(c) if the juvenile had been tried and convicted as an adult. Sections 3563, 3564, and 3565 are applicable to an order placing a juvenile on probation.

"(c) TERM OF OFFICIAL DETENTION.—

"(1) MAXIMUM TERM.—The term for which official detention may be ordered for a juvenile found to be a juvenile delinquent may not extend beyond the lesser of—

"(A) the maximum term of imprisonment that would be authorized if the juvenile had been tried and convicted as an adult;

"(B) 10 years; or

"(C) the date on which the juvenile achieves the age of 26.

"(2) APPLICABILITY OF OTHER PROVISIONS.—Section 3624 shall apply to an order placing a juvenile in detention.

"(d) TERM OF SUPERVISED RELEASE.—The term for which supervised release may be ordered for a juvenile found to be a juvenile delinquent may not extend beyond 5 years. Subsections (c) through (i) of section 3583

shall apply to an order placing a juvenile on supervised release.

"(e) CUSTODY OF ATTORNEY GENERAL.—

"(1) IN GENERAL.—If the court desires more detailed information concerning a juvenile alleged to have committed an act of juvenile delinquency or a juvenile adjudicated delinquent, it may commit the juvenile, after notice and hearing at which the juvenile is represented by an attorney, to the custody of the Attorney General for observation and study by an appropriate agency or entity.

"(2) OUTPATIENT BASIS.—Any observation and study pursuant to a commission under paragraph (1) shall be conducted on an outpatient basis, unless the court determines that inpatient observation and study are necessary to obtain the desired information, except that in the case of an alleged juvenile delinquent, inpatient study may be ordered with the consent of the juvenile and the attorney for the juvenile.

"(3) CONTENTS OF STUDY.—The agency or entity conducting an observation or study under this subsection shall make a complete study of the alleged or adjudicated delinquent to ascertain the personal traits, capabilities, background, any prior delinquency or criminal experience, any mental or physical defect, and any other relevant factors pertaining to the juvenile.

"(4) SUBMISSION OF RESULTS.—The Attorney General shall submit to the court and the attorneys for the juvenile and the government the results of the study not later than 30 days after the commitment of the juvenile, unless the court grants additional time.

"(5) EXCLUSION OF TIME.—Any time spent in custody under this subsection shall be excluded for purposes of section 5036.

"(f) CONVICTION AS ADULT.—With respect to any juvenile prosecuted and convicted as an adult pursuant to section 5032, the court may, pursuant to guidelines promulgated by the United States Sentencing Commission under section 994 of title 28, determine to treat the conviction as an adjudication of delinquency and impose any disposition authorized under this section. The United States Sentencing Commission shall promulgate such guidelines as soon as practicable and not later than 1 year after the date of enactment of this Act.

"(g)(1) A juvenile detained either pending juvenile proceedings or a criminal trial, or detained or imprisoned pursuant to an adjudication or conviction shall be substantially segregated from any prisoners convicted for crimes who have attained the age of 21 years.

"(2) As used in this subsection, the term 'substantially segregated'—

"(A) means complete sight and sound separation in residential confinement; but

"(B) is not inconsistent with—

"(i) the use of shared direct care and management staff, properly trained and certified to interact with juvenile offenders, if the staff does not interact with adult and juvenile offenders during the same shift; and

"(ii) incidental contact during transportation to court proceedings and other activities in accordance with regulations issued by the Attorney General to ensure reasonable efforts are made to segregate adults and juveniles."

SEC. 203. JUVENILE HANDGUN POSSESSION.

Section 924(a)(6) of title 18, United States Code, is amended—

(1) by striking all that precedes subparagraph (B) and inserting the following:

"(6)(A) A juvenile who violates section 922(x) shall be fined under this title, imprisoned not more than 1 year, or both, and for a second or subsequent violation, or for a first violation committed after an adjudication of delinquency for an act that, if committed by an adult, would be a serious vio-

lent felony (as defined in section 3559(c) of this title), shall be fined under this title, imprisoned not more than 5 years, or both.";

(2) in subparagraph (B)(i), by striking "one year" and inserting "5 years"; and

(3) in subparagraph (B)(ii), by striking "not more than 10 years" and inserting "not less than 3 nor more than 10 years".

SEC. 204. ACCESS OF VICTIMS AND PUBLIC TO RECORDS OF CRIMES COMMITTED BY JUVENILE DELINQUENTS.

Section 5038 of title 18, United States Code, is amended—

(1) in subsection (a), by striking "Throughout and upon" and all that follows through the colon and inserting the following: "Throughout and upon completion of the juvenile delinquency proceeding pursuant to 5032(a), the court records of the original proceeding shall be safeguarded from disclosure to unauthorized persons. The records shall be released to the extent necessary to meet the following circumstances:";

(2) in subsection (a)(3), by inserting before the semicolon "or analysis requested by the Attorney General";

(3) in subsection (c), inserting before the comma and after "relating to the proceeding" the phrase "other than necessary docketing data"; and

(4) by striking subsections (d) and (f), by redesignating subsection (e) as subsection (d), by inserting "pursuant to section 5032 (b) or (c)" after "adult" in subsection (d) as so redesignated, and by adding at the end new subsections (e) and (f) as follows:

"(e) Whenever a juvenile has been adjudicated delinquent for an act that if committed by an adult would be a felony or for a violation of section 924(a)(6), the juvenile shall be fingerprinted and photographed, and the fingerprints and photograph shall be sent to the Federal Bureau of Investigation. The court shall also transmit to the Federal Bureau of Investigation the information concerning the adjudication, including name, date of adjudication, court, offenses, and sentence, along with the notation that the matter was a juvenile adjudication. The fingerprints, photograph, and other records and information relating to a juvenile described in this subsection, or to a juvenile who is prosecuted as an adult pursuant to sections 5032 (b) or (c), shall be made available in the manner applicable to adult defendants.

"(f) In addition to any other authorization under this section for the reporting, retention, disclosure, or availability of records or information, if the law of the State in which a Federal juvenile delinquency proceeding takes place permits or requires the reporting, retention, disclosure, or availability of records or information relating to a juvenile or to a juvenile delinquency proceeding or adjudication in certain circumstances, then such reporting, retention, disclosure, or availability is permitted under this section whenever the same circumstances exist."

TITLE III—IMPROVING JUVENILE CRIME AND DRUG PREVENTION

SEC. 301. STUDY BY NATIONAL ACADEMY OF SCIENCE.

(a) IN GENERAL.—The Attorney General shall enter into a contract with a public or nonprofit private entity, subject to subsection (b), for the purpose of conducting a study or studies—

(1) to evaluate the effectiveness of federally funded programs for preventing juvenile violence and juvenile substance abuse;

(2) to evaluate the effectiveness of federally funded grant programs for preventing criminal victimization of juveniles;

(3) to identify specific Federal programs and programs that receive Federal funds that contribute to reductions in juvenile violence, juvenile substance abuse, and risk factors among juveniles that lead to violent behavior and substance abuse;

(4) to identify specific programs that have not achieved their intended results; and

(5) to make specific recommendations on programs that—

(A) should receive continued or increased funding because of their proven success; or

(B) should have their funding terminated or reduced because of their lack of effectiveness.

(b) NATIONAL ACADEMY OF SCIENCES.—The Attorney General shall request the National Academy of Sciences to enter into the contract under subsection (a) to conduct the study or studies described in subsection (a). If the Academy declines to conduct the study, the Attorney General shall carry out such subsection through other public or non-profit private entities.

(c) ASSISTANCE.—In conducting the study under subsection (a) the contracting party may request analytic assistance, data, and other relevant materials from the Department of Justice and any other appropriate Federal agency.

(d) REPORTING REQUIREMENTS.—

(1) IN GENERAL.—Not later than January 1, 2000, the Attorney General shall submit a report describing the findings made as a result of the study required by subsection (a) to the Committee on the Judiciary and the Committee on Education and the Workforce of the House of Representatives, and to the Committee on the Judiciary and the Committee on Labor and Human Resources of the Senate.

(2) CONTENTS.—The report required by this subsection shall contain specific recommendations concerning funding levels for the programs evaluated. Reports on the effectiveness of such programs and recommendations on funding shall be provided to the appropriate subcommittees of the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate.

(e) FUNDING.—There are authorized to be appropriated to carry out the study under subsection (a) such sums as may be necessary.

It was decided in the { Yeas 200
negative Nays 224
present 1

45.8

[Roll No. 111]

AYES—200

Ackerman	DeFazio	Hall (TX)
Allen	DeGette	Hamilton
Andrews	Delahunt	Harman
Baldacci	DeLauro	Hastings (FL)
Barcia	Dellums	Chabot
Barrett (WI)	Deutsch	Hinchey
Becerra	Dicks	Hinojosa
Bentsen	Dingell	Holden
Berman	Dixon	Hookey
Berry	Doggett	Hoyer
Bishop	Dooley	Jackson (IL)
Blagojevich	Doyle	Jackson-Lee
Blumenauer	Edwards	(TX)
Bonior	Ehlers	Jefferson
Borski	Engel	John
Boswell	Ensign	Johnson (WI)
Boucher	Eshoo	Johnson, E. B.
Boyd	Etheridge	Kanjorski
Brown (CA)	Evans	Kaptur
Brown (FL)	Farr	Kennedy (MA)
Brown (OH)	Fattah	Kennedy (RI)
Campbell	Fazio	Kennelly
Capps	Flake	Kildee
Cardin	Foglietta	Kilpatrick
Carson	Ford	Kind (WI)
Clayton	Frank (MA)	Klecza
Clement	Frost	Klink
Clyburn	Furse	Kucinich
Condit	Gedden	LaFalce
Conyers	Gephardt	Lampson
Coyne	Gonzalez	Lantos
Cummings	Gordon	Levin
Danner	Green	Lewis (GA)
Davis (FL)	Gutierrez	Lipinski
Davis (IL)	Hall (OH)	Lofgren

Lowey	Olver	Skelton
Luther	Ortiz	Slaughter
Maloney (CT)	Owens	Smith, Adam
Maloney (NY)	Pallone	Snyder
Manton	Pascarella	Spratt
Markey	Pastor	Stabenow
Martinez	Payne	Stark
Mascara	Pelosi	Stenholm
Matsui	Petri	Stokes
McCarthy (MO)	Pickett	Strickland
McCarthy (NY)	Pomeroy	Stupak
McDermott	Poshard	Tanner
McGovern	Price (NC)	Tauscher
McHale	Rahall	Thompson
McIntyre	Rangel	Thurman
McNulty	Reyes	Tierney
Meehan	Rivers	Torres
Meek	Rodriguez	Towns
Menendez	Roemer	Turner
Millender-	Rothman	Velazquez
McDonald	Roybal-Allard	Vento
Miller (CA)	Rush	Visclosky
Minge	Sabo	Waters
Mink	Sanchez	Watt (NC)
Moakley	Sanders	Waxman
Mollohan	Sandlin	Wexler
Moran (VA)	Sawyer	Weygand
Morella	Schumer	Wise
Murtha	Scott	Woolsey
Nadler	Serrano	Wynn
Neal	Sherman	Yates
Oberstar	Sisisky	
Obey	Skaggs	

NOES—224

Aderholt	Foley	McCrery
Archer	Forbes	McDade
Armey	Fowler	McHugh
Bachus	Fox	McInnis
Baessler	Franks (NJ)	McIntosh
Baker	Frelinghuysen	McKeon
Ballenger	Gallely	Metcalfe
Barr	Ganske	Mica
Barrett (NE)	Gekas	Miller (FL)
Bartlett	Gibbons	Molinari
Barton	Gilchrest	Moran (KS)
Bass	Gillmor	Myrick
Bateman	Gilman	Nethercutt
Bereuter	Goode	Neumann
Bilbray	Goodlatte	Ney
Bilirakis	Goodling	Northup
Bliley	Goss	Norwood
Blunt	Graham	Nussle
Boehlert	Granger	Oxley
Boehner	Greenwood	Packard
Bonilla	Gutknecht	Pappas
Bono	Hansen	Parker
Brady	Hastert	Paul
Bryant	Hastings (WA)	Paxon
Bunning	Hayworth	Pease
Burr	Hefley	Peterson (MN)
Burton	Herger	Peterson (PA)
Buyer	Hill	Pitts
Callahan	Hilleary	Pombo
Calvert	Hobson	Porter
Camp	Hoekstra	Portman
Canady	Horn	Pryce (OH)
Cannon	Hostettler	Quinn
Castle	Houghton	Radanovich
Chabot	Hulshof	Ramstad
Chambliss	Hunter	Regula
Chenoweth	Hutchinson	Riggs
Christensen	Hyde	Riley
Coble	Inglis	Rogan
Coburn	Istook	Rogers
Collins	Jenkins	Rohrabacher
Combest	Johnson (CT)	Ros-Lehtinen
Cook	Johnson, Sam	Roukema
Cooksey	Jones	Royce
Cox	Kasich	Ryun
Cramer	Kelly	Salmon
Crane	Kim	Sanford
Crapo	King (NY)	Saxton
Cubin	Kingston	Scarborough
Cunningham	Klug	Schaefer, Dan
Davis (VA)	Knollenberg	Schaffer, Bob
Deal	Kolbe	Sensenbrenner
DeLay	LaHood	Sessions
Diaz-Balart	Largent	Shadegg
Dickey	Latham	Shaw
Doolittle	LaTourette	Shays
Dreier	Lazio	Shimkus
Duncan	Leach	Shuster
Dunn	Lewis (KY)	Skeen
Ehrlich	Linder	Smith (MI)
Emerson	Livingston	Smith (NJ)
English	LoBiondo	Smith (OR)
Everett	Lucas	Smith (TX)
Ewing	Manzullo	Smith, Linda
Fawell	McCollum	Snowbarger

Solomon	Thomas	Weldon (FL)
Souder	Thornberry	Weldon (PA)
Spence	Thune	Weller
Stearns	Tiahrt	White
Stump	Trafigant	Whitfield
Sununu	Upton	Wicker
Talent	Walsh	Wolf
Tauzin	Wamp	Young (AK)
Taylor (MS)	Watkins	Young (FL)
Taylor (NC)	Watts (OK)	

ANSWERED "PRESENT"—1

Abercrombie

NOT VOTING—8

Clay	Hefner	Pickering
Costello	Lewis (CA)	Schiff
Filner	McKinney	

So the amendment in the nature of a substitute was not agreed to.

After some further time,

45.9 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Ms. WATERS:

Page 4, beginning in line 15, strike "that felony" and all that follows through line 18 and insert "a serious violent felony,".

Page 6, beginning in line 15 strike "or a conspiracy" and all that follows through "846" in line 18.

Page 6, beginning in line 23, strike "or a conspiracy" and all that follows through line 2 on page 7 and insert a period.

It was decided in the { Yeas 100
negative Nays 320

45.10

[Roll No. 112]

AYES—100

Abercrombie	Gephardt	Nadler
Allen	Gonzalez	Oberstar
Baldacci	Gutierrez	Obey
Barrett (WI)	Hastings (FL)	Olver
Becerra	Hilliard	Owens
Bishop	Hinchey	Pallone
Blumenauer	Hinojosa	Payne
Bonior	Jackson (IL)	Pelosi
Borski	Jackson-Lee	Rahall
Brown (CA)	(TX)	Rangel
Brown (FL)	Jefferson	Rohrabacher
Capps	Johnson (WI)	Rothman
Carson	Johnson, E.B.	Roybal-Allard
Clayton	Kennedy (RI)	Rush
Clyburn	Kennelly	Sabo
Conyers	Kilpatrick	Sanders
Coyne	Lantos	Scott
Cummings	Lewis (GA)	Serrano
Davis (IL)	Lofgren	Slaughter
DeFazio	Maloney (NY)	Stabenow
DeGette	Markey	Stark
Delahunt	Martinez	Stokes
Dellums	Matsui	Thompson
Dixon	McDermott	Thurman
Evans	McGovern	Towns
Farr	Meek	Velazquez
Fattah	Millender-	Vento
Fazio	McDonald	Waters
Flake	Miller (CA)	Watt (NC)
Foglietta	Minge	Waxman
Ford	Mink	Weygand
Frank (MA)	Moakley	Woolsey
Furse	Mollohan	Wynn
Gejdenson	Morella	Yates

NOES—320

Ackerman	Bereuter	Bunning
Aderholt	Berman	Burr
Andrews	Berry	Burton
Archer	Bilbray	Buyer
Armey	Bilirakis	Callahan
Bachus	Blagojevich	Calvert
Baessler	Blunt	Camp
Baker	Boehlert	Campbell
Ballenger	Boehner	Canady
Barcia	Bonilla	Cannon
Barr	Bono	Cardin
Barrett (NE)	Boswell	Castle
Bartlett	Boucher	Chabot
Barton	Boyd	Chambliss
Bass	Brady	Chenoweth
Bateman	Brown (OH)	Christensen
Bentsen	Bryant	Clement